REMARKS

Claims 1-20 are pending in this Application. By this Response, Applicants amended claim 1. Claim 1 has been amended solely to adopt the suggestion by the Examiner provided during the telephonic interview on November 1, 2006. Accordingly, claims 1-20 remain at issue following this Reply.

In the Final Office Action the Examiner rejected claims 1, 3-12 and 14-20 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,902,233 issued to Farley et al. ("Farley"). The Examiner also rejected claims 2 and 13 under 35 U.S.C. §103(a) as being unpatentable over Farley. Applicants respectfully traverse these rejections.

Applicants held an interview with the Examiner on November 1, 2006 where independent claims 1, 10 and 17 were discussed in connection with Farley. Following the interview the Examiner acknowledged that independent claims 10 and 17, as well as all dependent claims thereon, were patentable as presented. During the interview the Examiner also suggested a proposed amendment to claim 1, which is presented herein, that the Examiner agreed would render claim 1, and all claims dependent thereon, patentable over Farley. The Applicants extend their gratitude and thanks to the Examiner for participating in the interview, and for considering Applicants' discussion of the claims and the cited art.

In view of the Amendments and Remarks herein, Applicants believe the present application is in condition for allowance and respectfully requests notice of same.

Independent Claim 1

Applicant has amended claim 1 as suggested by the Examiner to recite that the movement of the retractor blade is such that the retractor blade is angularly positionable about the shaft axis up and down **in a plane of the tilting axis.** During the interview the Examiner acknowledged that this clarification of the movement of the retractor blade in claim 1 distinguished claim 1 from Farley.

As discussed during the interview, Farley discloses moving the retractor blade back and forth in line with the mounting arm 2 (see FIGS. 4A, 4B, 5A-5C and 6; col. 4, lines 40-43). Conversely, Applicants' recite that the retractor blade moves up and down in the plane of a

tilting axis. The plane of the tilting axis is perpendicular to the plane in which the retractor blade of Farley moves. For this reason, Applicants respectfully submit that independent claim 1 (as amended pursuant to the suggestion of the Examiner), and all claims dependent thereon, are patentable over Farley.

Independent Claim 10

Independent claim 10 recites the "retractor blade being selectively angularly positionable about a rotation axis relative to the shaft axis, and side angular position of the retractor blade being limited by stops associated with the connector." In one embodiment of Applicants' invention, the pivot flange 24 has stops 60 and 62 which engage an interior of the slot 50 in the flange clevis 20 to prevent movement of the retractor blade relative to the shaft axis past a preset angular position. Thus, the angular position of the retractor blade relative to the shaft axis is limited by stops 60 and 62.

Conversely, as explained during the interview, Farley discloses the use of a nipple 31 that freely rotates in the nipple receptacle 33 (see FIG. 10 and col. 7, lines 27-37). The nipple 31 of Farley can rotate or swivel a full 360° in the nipple receptacle 33, and there is no suggestion or teaching otherwise in Farley (i.e., Farley does not disclose stops preventing the rotation of the retractor blade). Accordingly, Applicants respectfully submit that independent claim 10, and all claims dependent thereon, are patentable over Farley as previously presented. Applicants than the Examiner for acknowledging such during the telephonic interview.

Independent Claim 17

Independent claim 17 recites: "a retractor blade connected to a hub, said hub retained in said slot of the connector, said slot being in a plane parallel to a plane of the shaft axis, and said hub angularly positionable about a rotation axis within the slot relative to the shaft axis." As discussed during the telephonic interview with the Examiner, in Farley the nipple or hub 31 of the retractor blade is situated in a bore identified as a nipple receptacle 33 (the bore having an axis perpendicular to the shaft axis) to allow the retractor blade to be freely rotatable or angularly positionable about its rotation axis. What this means is that the nipple freely rotates a full 360° in the bore. Conversely, Applicants' claim 17 recites much additional structure not disclosed or

suggested in Farley, including: a connector having a slot, wherein the slot is in a plane parallel to the shaft axis, and a hub retained in the slot and angularly positionable about the rotation axis with the slot. Because of these vast differences the Examiner acknowledged during the telephonic interview that claim 17, and all claims dependent thereon, are patentable over Farley.

CONCLUSION

In light of the foregoing reasons, Applicants respectfully request reconsideration and allowance of claims 1-20. The Commissioner is authorized to charge any additional fees or credit any overpayments associated with this Amendment to Deposit Account 13-0206. Applicants further invite the Examiner to contact the undersigned representative at the telephone number below to discuss any matters pertaining to the present Application.

Respectfully submitted,

Date: November 2, 2006

By: _____

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: MAIL STOP AF, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on November 2, 2006.

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Sarah J. Goodnight